

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:** § **Case No. 08-31630**  
§  
**POSITIVE HEALTH MANAGEMENT, § **Chapter 7****  
**INC.,** §  
§  
**Debtor.**

**ORDER AUTHORIZING EMPLOYMENT OF SPECIAL COUNSEL**

Upon the Application of Randy W. Williams, Trustee of the estate of the above-named Debtor (the “Trustee”) praying for authority to employ Kirk A. Kennedy to act as special counsel to represent Applicant as Trustee (the “Application”), and it appearing from the Application and the Affidavit of Kirk A. Kennedy that he is an attorney duly admitted to practice in this Court, and he represents no interest adverse to the Trustee, the above named Debtor or the estate in the matters upon which it is to be engaged, that his employment is necessary and would be in the best interest of the estate. It is, therefore,

ORDERED that the Trustee is authorized to employ Kirk A. Kennedy to represent him as Trustee in this case to examine transfers of property to Priority Healthcare and pursue legal action against Priority Healthcare if necessary; assist with recovery of assets; prosecution of chapter 5 causes of action, and review of post-petition transfers.

IT IS FURTHER ORDERED that Kirk A. Kennedy shall not be compensated by the bankruptcy estate for performing duties required to be performed by a Trustee;

IT IS FURTHER ORDERED that should the Trustee desire for Kirk A. Kennedy to perform any additional professional services, other than those authorized herein, or should Trustee desire to appoint additional counsel to perform legal services, leave is hereby granted for

Trustee to file such other motions, applications or supplemental applications as may be necessary.

DATED: \_\_\_\_\_

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UNITED STATES BANKRUPTCY JUDGE